

Amendment No. 2 to SB2464

Watson
Signature of Sponsor

AMEND Senate Bill No. 2464*

House Bill No. 2610

by adding the following new language immediately preceding the effective date section and by renumbering the subsequent section accordingly:

SECTION __. Tennessee Code Annotated, Section 68-29-109(b), is amended by deleting subdivision (13) in its entirety and by substituting instead the following:

(13) A private citizen consumer, who has no direct or indirect affiliation with the medical profession or industry, to represent the public interest (July 1, 1996).

SECTION __. Tennessee Code Annotated, Section 68-29-109, is amended by deleting subsection (d) in its entirety and by substituting instead the following:

(d) The members of the board may be selected from a list of nominees submitted to the governor from the professional organizations listed below.

Organizations shall submit names only for the categories designated.

(1) The following organizations may submit three (3) names for each appointment in the categories listed:

(A) Tennessee Medical Association, in consultation with the Tennessee Society of Pathologists, giving due regard to geographic distribution — pathologist members;

(B) Tennessee Medical Association — non-pathologist physician member; and

(C) Tennessee Hospital Association — hospital administrator member and hospital laboratory manager/administrative director member.

(2) All organizations listed in this subsection (d) may submit one (1) name each for the independent laboratory representative.

(3) The following organizations may submit one (1) name each for each appointment of members listed in subsection (b), with the exception of the pathologists, nonpathologist physician, and hospital administrator:

(A) Tennessee Society for Medical Technology;

(B) Tennessee State Society of American Medical Technologists;

(C) Tennessee chapter — Clinical Laboratory Management Association;

(D) Tennessee Association of Blood Banks; and

(E) Tennessee chapter — Southern Association for Clinical Microbiology.

(4) Lists of nominees shall be submitted at least forty-five (45) days prior to the expiration of the term of office of any member.

SECTION __. Tennessee Code Annotated, Section 68-29-109, is further amended by adding the following language as a new subsection (e) and by redesignating present subsection (e) and all subsequent subsections accordingly:

(e)

(1) Notwithstanding the provisions of § 3-6-304 or any other law to the contrary, and in addition to all other requirements for membership on the board:

(A) Any person registered as a lobbyist pursuant to the registration requirements of title 3, chapter 6 who is subsequently appointed or otherwise named as a member of the board shall terminate all employment and business association as a lobbyist with any entity whose business endeavors or professional activities are regulated by the board, prior to serving as a member of the board. The provisions of this subdivision (1)(A) shall apply to all persons appointed or otherwise named to the board after July 1, 2010;

(B) No person who is a member of the board shall be permitted to register or otherwise serve as a lobbyist pursuant to title 3, chapter 6 for

any entity whose business endeavors or professional activities are regulated by the board during such person's period of service as a member of the board. The provisions of this subdivision (1)(B) shall apply to all persons appointed or otherwise named to the board after July 1, 2010, and to all persons serving on the board on such date who are not registered as lobbyists; and

(C) No person who serves as a member of the board shall be employed as a lobbyist by any entity whose business endeavors or professional activities are regulated by the board for one (1) year following the date such person's service on the board ends. The provisions of this subdivision (1)(C) shall apply to persons serving on the board as of July 1, 2010 and to persons appointed to the board subsequent to such date.

(2) A person who violates the provisions of this subsection shall be subject to the penalties prescribed in title 3, chapter 6.

(3) The bureau of ethics and campaign finance is authorized to promulgate rules and regulations to effectuate the purposes of this subsection. All such rules and regulations shall be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5, and in accordance with the procedure for initiating and proposing rules by the ethics commission to the bureau of ethics and campaign finance as prescribed in § 4-55-103.

SECTION __. The provision in this act prohibiting a private citizen consumer with a direct or indirect affiliation with the medical profession or industry from serving on the board shall apply to all private citizen consumer member appointments made to the board after July 1, 2010.